



U.S. DEPARTMENT of STATE

Poland

International Religious Freedom Report 2005

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The Constitution provides for freedom of religion, and the Government generally respects this right in practice.

There was no change in the status of respect for religious freedom during the period covered by this report, and government policy continued to contribute to the generally free practice of religion.

The generally amicable relationship among religions in society contributed to religious freedom. Jewish community leaders report no serious anti-Jewish incidents in the country over the last two years. However, there were occasional desecrations of Jewish and, more frequently, Roman Catholic cemeteries by skinheads and other marginal elements of society.

The U.S. Government discusses religious freedom issues with the Government as part of its overall policy to promote human rights. U.S. Embassy and Consulate General Krakow officers actively monitor threats to religious freedom and seek further resolution of unsettled legacies of the Holocaust and the Communist era.

Section I. Religious Demography

The country has an area of 120,725 square miles, and its population is an estimated 39 million. More than 96 percent of citizens are identified as Roman Catholic; however, Eastern Orthodox, Greek Catholic, and much smaller Protestant, Jewish, and Muslim congregations meet freely.

According to the 2004 Annual Statistical Yearbook of Poland, the following figures represent the formal membership of the listed religious groups but not the actual number of persons in those religious communities; for example, the actual number of Jews is estimated at between 20,000 and 30,000, while the formal membership of the Union of Jewish Communities totals only 2,500. The Yearbook estimated that there are 34,294,521 baptized Roman Catholics; 509,100 Orthodox Church members; 82,000 Greek Catholics; 126,573 Jehovah's Witnesses; 79,050 Lutherans (Augsburg Confession); 24,025 Old Catholic Mariavits; 21,299 members of the Polish Catholic Church; 20,571 Pentecostals; 9,487 Seventh-day Adventists; 4,627 Baptists; 5,114 members of the New Apostolic Church; 110 members of Muslim associations; 910 Hare Krishnas; 4,400 Methodists; 2,800 members of the Church of Christ; 3,563 Lutherans (Reformed); 2,353 Catholic Mariavits; and 1,199 members of the Church of Jesus Christ of Latter-day Saints (Mormons). Each of these religious groups has a relationship with the State governed by either legislation or treaty, with the exception of Jehovah's Witnesses, the New Apostolic Church, the Church of Krishna Consciousness (Hare Krishna), and the Church of Christ.

A 2003 public opinion poll indicates that the attitude of Poles toward religion is little changed from the last polling, conducted in 2001. Approximately 57 percent of citizens actively participate in religious ceremonies at least once per week. Nine percent of respondents declared that they have no contact with the Roman Catholic Church, an estimated 34 percent declared that they attend church irregularly or sporadically, and approximately 2 percent declared themselves to be nonbelievers. The survey also found women to be more religious than men, with 65 percent of the former attending church regularly, compared with 48 percent of the latter. There was a slight (3 percent) decrease in the number of Poles identifying themselves with the Roman Catholic Church and an identical increase in the number of those reporting they prefer to "believe in their own way."

Foreign missionary groups operate freely in the country.

Section II. Status of Religious Freedom

Legal/Policy Framework

The Constitution provides for freedom of religion, and the Government generally respects this right in practice. The Government at all levels strives to protect this right in full and does not tolerate its abuse, either by governmental or private actors. The Criminal Code stipulates that offending religious sentiment through public speech is punishable by a fine or up to a 3-year prison

term. The Roman Catholic Church is the dominant religion in the country.

There are 15 religious groups whose relationship with the State is governed by specific legislation that outlines the internal structure of the religious groups, their activities, and procedures for property restitution. There are 144 other registered religious groups that do not have a statutorily defined relationship with the State. All registered religious groups, including the original 15, enjoy equal protection under the law and there were no reports of serious conflicts among churches or religious groups.

Religious communities may register with the Ministry of the Interior; however, they are not required to do so and may function freely without registration. According to the 1989 Law on Guaranteeing Freedom of Conscience and Belief, registration requires that the group submit the names of at least 100 members as well as other information about the group. This information on membership must be confirmed by a notary public, although the registration itself often appears to be a formality. In 2004, three new religious groups registered with the Ministry: the Muslim League of the Republic of Poland, (January); the Taoist Union (May) and the Evangelical Union of the Republic of Poland (May). All registered religious groups share the same privileges, such as duty-free importation of office equipment and reduced taxes.

Citizens enjoy the freedom to practice any faith that they choose. Religious groups may organize, select and train personnel, solicit and receive contributions, publish, and meet without government interference. There are no government restrictions on establishing and maintaining places of worship.

The law places Catholic, Jewish, Orthodox, and Protestant communities on the same legal footing, and the Government attempts to address the problems that minority religious groups may face.

Foreign missionaries are subject only to the standard rules applicable to foreigners temporarily in the country. There are no reports that missionaries were denied entry into the country.

Although the Constitution gives parents the right to bring up their children in compliance with their own religious and philosophical beliefs, religious education classes continue to be taught in the public schools at public expense. Children have a choice between religious instruction and ethics, and the Ombudsman's office reported that in 2004, in contrast to prior years, there were no complaints regarding a lack of ethics courses in the schools. Although Catholic Church representatives teach the vast majority of religious classes in the schools, parents may request such classes in any of the religions legally registered, including Protestant, Orthodox, and Jewish religious instruction. While it is not common, such non-Catholic religious instruction exists in practice, and the Ministry of Education pays the instructors. Religious education instructors, including clergy, receive salaries from the State for teaching religion in public schools. Catholic Church representatives are included on a commission that determines whether books qualify for school use.

Catholic religious holy days (Easter Monday, Corpus Christi Day, Assumption of the Virgin Mary, All Saints' Day, Christmas, and St. Stephen's Day) are national holidays.

In 1998, the Concordat, a treaty signed in 1993 regulating relations between the Government and the Vatican, was ratified by Parliament, signed by the President, and took effect. The vote came after years of bitter disputes between Concordat supporters and opponents. The debate centered on whether the treaty ensured the Catholic Church's right to guarantee freedom of religion for its congregants or blurred the line between church and state. The Government and the Catholic Church participate at the highest levels in a Joint Government-Episcopate Task Force, which meets regularly to discuss Church-State relations.

The Government continues to work with both local and international religious groups to address property claims and other sensitive issues stemming from Nazi- and Communist-era confiscations and persecutions. The Government enjoys good relations with international Jewish groups. The Ministry of Foreign Affairs is largely responsible for coordinating relations between the Government and these organizations, although the President also plays an important role. The Government cooperates effectively with a variety of international organizations, both governmental and nongovernmental, for the preservation of historic sites, including cemeteries and houses of worship. However, contentious issues regarding property restitution and preservation of historic religious sites and cemeteries remain only partially settled.

Progress continues in implementing the laws that permit local religious communities to submit claims for property owned prior to World War II that subsequently was nationalized. The Catholic and Orthodox Churches report general satisfaction with government action to restitute property. A 1997 law, which mirrors legislation benefiting other religious communities, permits the local Jewish community to submit claims for such property. The law allowed for a 5-year period to file claims, the longest period allowed for any denomination. These laws allow for the return of churches and synagogues, cemeteries, and community headquarters, as well as buildings that were used for other religious, educational, or charitable activities. The laws included time limits for filing claims; these deadlines have expired in recent years, and no additional claims may be filed. However, restitution commissions composed of representatives of the Government and the religious community are continuing adjudication of previously filed claims.

The time limit for applications by the Catholic Church expired in 1991. By the end of the period covered by this report, 2,704 of the 3,063 claims filed by the Church had been concluded, with 1,495 claims settled by agreement between the Church and the party in possession of the property (usually the national or a local government) and 599 claims were rejected. Claims by the local Jewish community, whose deadline for filing claims under the 1997 law expired on May 11, 2002, number 5,544. The

Commission on Property Restitution considered 714 cases, of which 253 were settled amicably and 285 properties were restored. In addition, the Jewish community has received the equivalent of more than \$1 million for properties which could not be returned. The Lutheran Church, for which the filing deadline was July 1996, submitted claims for 1,200 properties. Of these, 806 cases were heard, 222 of which were resolved amicably. A total of 220 claims were filed with the Commission for the Orthodox Church, of which 138 were closed in full or in part.

Nongovernmental organizations (NGOs) and some observers have criticized the generally slow pace of restitution of Jewish communal property and noted reluctance by the Government to return valuable properties in some cases. In contrast, restitution of Jewish communal property appears to be progressing well in cities where it has the support of the local government, such as Warsaw and Lodz.

The laws on communal property restitution do not address the issue of communal properties to which private third parties now have title, leaving several controversial and complicated cases unresolved. In a number of cases buildings and residences were built on land that included Jewish cemeteries destroyed during or after World War II.

The Government cooperates with the country's NGOs and officials of major denominations to promote religious tolerance, and lends support to activities such as the March of the Living, an event to honor victims of the Holocaust. In January 2005, the country hosted a number of world leaders, including the U.S. Vice President and Holocaust survivor Elie Wiesel, at ceremonies commemorating the 60th Anniversary of the Liberation of the Auschwitz and Birkenau concentration camps.

Restrictions on Religious Freedom

Government policy and practice contributed to the generally free practice of religion. In 2001, the Government established a department within the Ministry of Interior to monitor the activities of "new religious groups" and "cults." In April 2002, the Government closed the department; however, an employee of the Interior Ministry's Public Order Department continued to monitor religious groups.

Although the Constitution provides for the separation of religion and state, crucifixes hang in both the upper and lower houses of Parliament, as well as in many public buildings.

Public radio and television stations broadcast Catholic Mass, but only with licensure from the National Radio and Television Broadcasting Council.

There were no reports of religious prisoners or detainees.

Forced Religious Conversion

There were no reports of forced religious conversion, including of minor U.S. citizens who had been abducted or illegally removed from the United States, or of the refusal to allow such citizens to be returned to the United States.

Abuses by Terrorist Organizations

There were no reported abuses targeted at specific religions by terrorist organizations during the period covered by this report.

Section III. Societal Attitudes

The generally amicable relationship among religions in society contributed to religious freedom.

Orthodox religious officials reported accounts of discrimination towards the Orthodox community. There were reports of less than proportional funds for cultural events associated with the Orthodox community, layoffs in which Orthodox employees were the first dismissed, and attitudes in the local press in some areas depicting Catholicism as necessary for true citizenship.

Anti-Semitic feelings persist among certain sectors of the population. However, there were no known anti-Semitic candidates or parties participating in elections. Isolated incidents of harassment and violence against Jews continued to occur, almost always linked to skinheads and other marginal societal groups. Occasional cases of cemetery desecration, including both Jewish and, more frequently, Catholic sites, also occurred during the period covered by this report.

The 14th March of the Living took place on May 5, 2005. An estimated 21,000 participants walked from the former Auschwitz concentration camp to the former Birkenau death camp to honor victims of the Holocaust. Schoolchildren, Boy Scouts, the Polish-Israeli Friendship Society, Polish survivors of Auschwitz, and the Polish Union of Jewish Students participated in the march. The Polish Prime Minister, Israeli Prime Minister and Hungarian Prime Minister were featured speakers at the march.

There is some public concern about the growth of groups perceived to be "sects" and the influence of non-mainstream religious groups, especially during the summer travel season when young persons travel to camps and other gatherings. Newspapers

also have published articles during the period covered by this report concerning fascination with Satanism among the young.

Interfaith groups work to bring together the various religious groups in the country. The Polish Council of Christians and Jews meets regularly to discuss issues of mutual interest, and the Catholic and Orthodox Churches have an active bilateral commission. The Polish Ecumenical Council, a group that includes most religious groups other than the Roman Catholic Church, is also active. Greek Catholic leaders have expressed concern that following the death of Pope John Paul II, no one in the Vatican leadership understands the country's situation sufficiently well to make informed decisions regarding property and doctrinal disputes. Approximately 250 Greek Catholic churches were taken over by Roman Catholic dioceses after WWII, and Greek Catholics are currently working to have that property returned. This is an internal issue between the Greek and Roman Catholic dioceses, mediated by the Pope, which does not involve the Government.

In June, the Fifth Annual Muslim Cultural Days conference was held in Gdansk. The Warsaw Islamic Council is also planning to organize an open-air Muslim cultural fair in that city in the near future. In July, the first Pomeranian Days of Ethnic Culture celebration was held in Sopot, jointly organized by the Tatar Cultural Center and the Jewish Community of Gdansk.

Section IV. U.S. Government Policy

Representatives of the U.S. Embassy and Consulate General Krakow regularly monitor issues relating to religious freedom and interfaith relations, including Polish-Jewish relations. Embassy and Consulate officers met frequently with representatives of religious communities, the Government, and local authorities on such matters as property restitution, religious harassment, and interfaith cooperation.

Embassy and Consulate officers actively monitor threats to religious freedom. On a regular basis, Embassy and Consulate officials discuss issues of religious freedom, including property restitution, with a wide range of government officials at all levels. The Embassy and Consulate General actively urge the protection and return of former Jewish cemeteries throughout the country.

Embassy and Consulate representatives, including the Ambassador, regularly meet with representatives of major religious communities, including leaders of the Jewish community, both in the capital and during travels throughout the country. Consulate officials attend events and monitor developments and facilitate official visits to the Auschwitz Museum, which is located near Krakow. Embassy and Consulate officers also remain in contact with and attend events associated with the Orthodox, Protestant and Muslim minorities.

The Embassy in Warsaw and the Consulate in Krakow provide continuing support for activities designed to promote cultural and religious tolerance. Those activities include press and public affairs support for the Auschwitz Jewish Center Foundation's education project in Oswiecim, and continued support to the annual NGO-sponsored "Days of Tolerance" in Kolobrzeg that brings together youths of various religious and ethnic backgrounds and from many countries. The majority of events conducted in Krakow's "Bridges to the East" feature tolerance as an integral part of the presentations.

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